

**Senate Bill No. 99**

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Passed the Senate      September 4, 2003

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*Secretary of the Senate*

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Passed the Assembly      September 2, 2003

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*Chief Clerk of the Assembly*

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This bill was received by the Governor this \_\_\_\_\_ day of  
\_\_\_\_\_, 2003, at \_\_\_\_\_ o'clock \_\_M.

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*Private Secretary of the Governor*

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## CHAPTER \_\_\_\_\_

An act to add Section 10205.1 to the Government Code, relating to state civil service.

## LEGISLATIVE COUNSEL'S DIGEST

SB 99, Burton. Information technology classifications.

The California Constitution establishes the State Personnel Board and sets forth the duties of the board, including prescribing classifications. Existing law authorizes the board to conduct, supervise, and evaluate demonstration projects to determine whether a specified change in personnel management policies and procedures would improve state personnel management. In 1998, the board and the Legislative Counsel Bureau agreed to conduct a demonstration project as to information technology classifications for employees of the bureau assigned to the Legislative Data Center, a division of the bureau.

This bill, notwithstanding other provisions of law, but consistent with the merit principles of Article VII of the California Constitution, would authorize the Legislative Counsel Bureau appointing authority to make certain classification changes, conduct examinations, and make appointments affecting employees assigned to the Legislative Data Center.

Specifically, the bill would authorize the bureau appointing authority to consolidate its data processing classes into the band classifications and ranges that are administratively authorized under the demonstration project or into other classifications or ranges as modified or established by the State Personnel Board. The bill also would authorize the bureau appointing authority to conduct comprehensive examinations and make appointments for information technology positions on a position-specific basis, as described in specified provisions of the California Code of Regulations in effect on January 1, 2003, or in any other manner approved by the board.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature finds and declares all of the following:



(a) The State Personnel Board and the Legislative Counsel Bureau entered into a demonstration project that was designed to study alternatives to traditional methods of classifying, examining, selecting, appointing, and promoting information technology employees of the Legislative Counsel Bureau who are assigned to the Legislative Data Center, a division of the Legislative Counsel Bureau.

(b) The demonstration project addresses the need for a more flexible classification structure in order to reflect the evolving information technology profession.

(c) The alternative selection procedures that have been implemented as part of the demonstration project have improved the ability of the Legislative Counsel Bureau to match candidates and information technology jobs, at the same time resulting in an expedited selection process.

(d) Based on the success of the demonstration project, it is the intent of the Legislature to make permanent the alternative methods, as utilized in the demonstration project, of classifying, examining, selecting, appointing, and promoting information technology employees of the Legislative Counsel Bureau who are assigned to the Legislative Data Center.

SEC. 2. Section 10205.1 is added to the Government Code, to read:

10205.1. (a) Notwithstanding Sections 18523, 18900, 18901, 18930, 18930.5, 18931, 18933, 18936, 18937, 18938.5, 18939, 18950, 19050, 19052, 19054, 19054.1, 19057, 19057.1, 19057.2, 19057.4, 19081, and 19101, or any other provision of law, but consistent with the merit principles of subdivision (b) of Section 1 of Article VII of the California Constitution, the Legislative Counsel Bureau appointing authority may assign persons to classifications and ranges, conduct examinations, and make appointments as specified by this section. The purpose of this section is to improve the management of the Legislative Data Center, a division of the Legislative Counsel Bureau, and to provide the Legislative Counsel Bureau with greater flexibility and adaptability reflective of the information technology profession.

(b) The Legislative Counsel Bureau appointing authority may, as a consolidation of the information technology classifications otherwise available to the bureau, utilize the band classifications



of information systems supervisor/manager, information technology specialist, and information technician, as available to the bureau on January 1, 2003, under the demonstration project described in Section 1 of the act that added this section, as those classifications may subsequently be modified by the State Personnel Board, or into other information technology classifications established by the State Personnel Board. Each of these band classifications is hereby divided into the ranges that existed in that classification on January 1, 2003, under that demonstration project, which ranges may be modified as provided for by the State Personnel Board, including the delegation of authority to the Legislative Counsel Bureau appointing authority.

(c) Through the delegation of authority to the Legislative Counsel Bureau appointing authority or otherwise, the State Personnel Board shall provide for the allocation, as appropriate, of employees of the bureau having civil service status to the appropriate classification and range authorized pursuant to this section and shall grant to each such employee the same civil service status in that classification and range without further examination.

(d) The Legislative Counsel Bureau appointing authority may conduct competitive examinations on a position-by-position basis for the information technology classifications described in this section and make appointments for information technology positions either in the manner described in Article 6 (commencing with Section 549.70) of Subchapter 4 of Chapter 1 of Division 1 of Title 2 of the California Code of Regulations in effect on January 1, 2003, or in any other manner approved by the State Personnel Board. In its exercise of authority under this subdivision pursuant to Article 6 (commencing with Section 549.70) of Subchapter 4 of Chapter 1 of Division 1 of Title 2 of the California Code of Regulations, the Legislative Counsel Bureau appointing authority shall rank each examination candidate in the manner specified in Article 4 (commencing with Section 458.30) and Article 5 (commencing with Section 548.40) of Subchapter 2 of Chapter 1 of Division 1 of Title 2 of the California Code of Regulations.



Approved \_\_\_\_\_, 2003

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*Governor*

